

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78672 of 2024

Arising Out of PS. Case No.-335 Year-2024 Thana- Daudnagar Excise District- Aurangabad

Pankaj Kumar S/o- Rajan Yadav @ Rajan Kumar Singh Village- Dihra Lakh,
P.S-Obra, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukul Kumari, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 29-11-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Daudnagar Excise P.S. Case no. 335 of 2024 instituted for the offence under Sections 30 (a) and 32(3) of the Bihar Prohibition of Excise Amendment Act, 2018.

3. The case of the prosecution is that two persons on a bike were coming towards Barun. It is further alleged that after seeing the police, they tried to flee away but one person was apprehended on chase and he disclosed his name is Rakesh Kumar. From that bike, altogether 35 liters of spirt was recovered. Accordingly, the FIR.

4. Learned counsel for the petitioner has submitted that petitioner is innocent and has falsely been implicated in



connection with the present case. It has been argued by the learned counsel for the petitioner that name of the petitioner has surfaced on the basis of the confessional statement of Rakesh Kumar. Nothing has been recovered from the conscious possession of the petitioner. Further submission is that the petitioner is having no criminal antecedent.

5. Learned APP appearing for the State opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Daudnagar Excise P.S. Case no. 335 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-II, Aurangabad, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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